

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

NUEREL CARR

Defendant.

04MJ 00282-JLA  
~~CRIMINAL~~ NO. MBD

04MBD 10361

FILED  
IN CLERKS OFFICE  
2004 DEC 28 P 3:22  
U.S. DISTRICT COURT  
DISTRICT OF MASS.GOVERNMENT'S MOTION TO EXTEND TIME TO INDICT

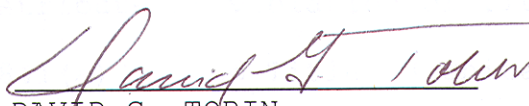
Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves to extend the time by which the United States must indict Nuerel Carr ("Carr"). Carr was arrested by federal agents on November 24, 2004, in Quincy, Massachusetts. On the same day, a criminal complaint was issued by the United States District Court charging Carr with knowingly and intentionally possessing cocaine, a Schedule II controlled substance, with intent to distribute in violation of Title 21 United States code, Section 841(a)(1) and Title 18 United States Code, Section 2. Carr made his initial appearance before the Court on November 24, 2004, at which time the United States made an oral motion to detain Carr. Magistrate Judge Alexander conducted a detention hearing on December 7, 2004, at which time Carr requested voluntary detention. Pursuant to Title 18 United States Code, Section 3161(b), an indictment charging Carr must be filed within thirty days from the date of his arrest. Pursuant to Title 18 United States Code, Section 3161(h)(1)(F), the period from November 24, 2004, the date on which the United States made

an oral motion to detain Carr, to December 7, 2004, the date the Court disposed of the government's detention motion, is excluded from Speedy Trial Act calculations. The thirty day speedy trial clock commenced on December 8, 2004. The defendant must be indicted by the end of January 6, 2004. The United States moves this Honorable Court to exclude the period from December 8, 2004 to and including December 18, 2004, from the provisions of the Speedy Trial Act (excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). Edward L. Hayden, Esquire, counsel for Defendant Carr, assented to the motion during a telephone call with the undersigned on December 20, 2004. The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
DAVID G. TOBIN  
Assistant U.S. Attorney